

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

In re AMERICAN ITALIAN PASTA
COMPANY SECURITIES LITIGATION

This Document Relates To:

ALL ACTIONS.

) No. 4:05-cv-00725-ODS

) CLASS ACTION

) PLAINTIFF FIREFIGHTERS' PENSION'S
) NOTICE OF MOTION AND MOTION FOR
) RECONSIDERATION OF THE COURT'S
) ORDER CONSOLIDATING SECURITIES
) AND DERIVATIVE CASES AND
) APPOINTING LEAD PLAINTIFF

TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD

PLEASE TAKE NOTICE that as soon as the matter may be heard in the Courtroom of the Honorable Ortrie D. Smith of the United States District Court for the Western District of Missouri – Western Division, plaintiff Firefighter's Pension System of the City of Kansas City, Missouri Trust ("Firefighters' Pension") by and through its counsel, will move this Court for reconsideration of the Court's December 19, 2005 Order consolidating all derivative and class actions and appointing lead plaintiff.

This Motion is based upon this Notice, the accompanying Memorandum of Law, the complete files and records in this action, and such oral argument as the Court may consider in deciding this Motion.

DATED: December 29, 2005

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CERTIFICATE OF SERVICE

I hereby certify that on December 29, 2005, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

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